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Richard M. Daley  
Mayor

Department of Police • City of Chicago  
3510 S. Michigan Avenue • Chicago, Illinois 60653

JUL 31 2009  
Chief Judge James F. Holderman  
Superintendent of Police  
United States District Court

July 23, 2009

Honorable James F. Holderman  
United States District Court  
For the Northern District of Illinois  
219 South Dearborn  
Chicago, IL 60604

Dear Chief Judge Holderman:

As the Superintendent of the Chicago Police Department, I have many responsibilities to the public, the justice system, and, to the officers that I serve.

In the time I have been Superintendent, I have seen the incredible work by officers that occurs daily in this City to stem increasingly violent criminal activity. Everyday, Chicago Police Department officers go out to serve and protect the residents of this city. They do so with great cost. Since being named Superintendent, I have buried four officers killed in the line of duty, I have gone to the hospital numerous times for officers severely injured in the line of duty and I have seen the trauma associated with police involved shootings. Everyday I see the impact that violent crime has on the residents of this city.

One of the recurring challenges facing our officers is the prevalence of civil litigation. Lawsuits filed against police officers are on the rise. As you know, unlike in criminal court, the filing of a complaint in civil court does not require any proof beyond very minimal requirements. The negative impact that the filing of suits has on officers cannot be overstated. As the result of being named in a lawsuit, the Chicago Police Department opens an investigation into the action of an officer, regardless of the actions alleged in the complaint. Dual processes continue, with the civil action and the internal administrative action going forward, until resolution in both arenas.

Traditionally, because of the constraints of the civil justice system practice, many lesser cases have been settled by the City, if only for business reasons. It is my opinion that many of these cases are filed without merit. Further, many officers have approached me and continue to raise concerns that their reputation is being tarnished, they are not allowed to clear their names, and, that criminal

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defendants are using civil litigation to either assist their criminal defense or to intimidate the officers from conducting lawful enforcement activity.

The Chicago Police Department continues to see the media, plaintiffs and the judiciary focus on the number of lawsuits filed and settled against officers and on the number of complaints made against officers. The assumption is that the mere filing, or number of suits, makes an officer corrupt. Officers have been named and reported in the media and litigation because there are a number of settlements for lawsuits in which they have been defendant parties. The insinuation is that they are bad officers. However, as you know, many suits settle for other reasons -- none of which are included in the broad-brush of outing an officer named in a complaint. This is a cycle in which the outcome is patently unfair to the officers that I rely upon to keep this city safe.

Therefore, I have asked the Department of Law to litigate those cases which in the past would have been settled a matter of financial concern.

Everyday I ask officers to go out and put their life on the line in service to the City of Chicago. The least I can offer in return is the support for their ability to litigate the lawfulness of their actions and to clear their name for allegations of misconduct in the civil and administrative arenas. While I recognize this may bring increased litigation, I anticipate that it will also serve as a valid gatekeeper action. If plaintiffs know their complaint will in fact be litigated, more focus and concern will be given to the factual validity of the complaints signed. Hopefully this will benefit all concerned. I look forward to your support in this matter and would like to discuss it further should you desire to do so. I thank you for your attention to this matter.

Sincerely,



Jody P. Wels  
Superintendent of Police

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